

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER  
07-CR-86

PATRICIA O'CONNOR and  
RICHARD R. DRACHENBERG,

Defendants.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(A). On March 28, 2008, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that defendants' motions to dismiss be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendants' motions to dismiss are denied.

The parties shall be present for a status conference/meeting to set trial date on April 30, 2008, at 9:00 a.m.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: April 28 , 2008